

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

PARENTS OF DANIELLE
Plaintiffs,

CIVIL ACTION
NO.04-10994NMG

v.

MASSACHUSETTS DEPARTMENT OF
EDUCATION, DAVID P. DRISCOLL, COMMISSIONER;

And

SCHOOL COMMITTEE FOR
THE TOWN OF SHARON:
SAM LIAO, ANDREW NEGENAZIIL,
DONALD GILLIGAN, JANE FURR, MITCH
BLAUSTEIN AND SUAZANNE PEYTON

Defendants.

JOINT STATEMENT PURSUANT TO LOCAL RULE 16.1

The parties, having conferred pursuant to Local Rule 16.1(B) through their undersigned counsel of record, submit the following joint statement pursuant to Local Rule 16.1(d).

1. *Discovery Plan:*

The parties propose the following schedule for discovery:

Initial disclosures pursuant to FRCP 26(a)(1)	May 20, 2005
Plaintiff's Expert Disclosures.....	June 10, 2005
Defendant's Expert Disclosures.....	June 20, 2005
Discovery completed by.....	July 10, 2005

The parties agree that there is no need to conduct discovery in phases, or to modify the

limitations on discovery events set forth in Local Rule 26.1(C).

2. Schedule for filing of motions:

The parties propose the following schedule for the filing of dispositive motions and responses thereto:

Plaintiffs to file and serve dispositive motions on or before.....July 1, 2005

Defendants to file and serve oppositions and/or cross-motions within ~~fourteen~~ days of service upon them:..... July 22, 2005

Plaintiffs to file and serve oppositions within
7 days of service, no later thanAugust 1, 2005

3. Trial before a Magistrate Judge:

The Plaintiffs, Parents, and the Defendant, School Committee, are not willing to consent to trial before a magistrate judge.

The Defendant, Commonwealth of Massachusetts DOE is willing to consent to trial before a magistrate judge.

4. L.R. 16.1(D)(3) Certifications:

Certifications required will be submitted separately at the scheduling conference.

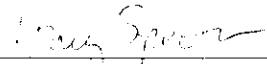
5. Other Agenda Items:

Defendant School Committee is concerned to retain full discovery in regard to Count II (concerning legal fees). Plaintiff Parents are concerned to complete matters and achieve disposition in time for September, 2005 school enrollment. Therefore, Plaintiff Parents and Defendant School Committee expect to agree to bifurcate the discovery and trial of Count I (education issues) from Count II (attorneys' fees). Towards that end, Plaintiffs and Defendant School Committee counsel agree to try Count I in early August, if the court can accommodate

that. However, the Defendant State does not agree, believing that trial may well be averted by dispositive motions, and/or such scheduling may not be appropriate otherwise.

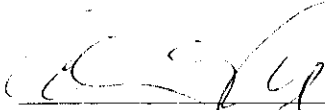
Respectfully submitted,

MASS. OF EDUCATION BY COUNSEL,
By Counsel,



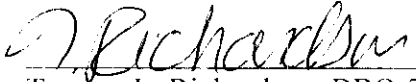
Amy Spector (BBO ~~55761~~ 55761)
Assistant Attorney General
Government Bureau
One Ashburton Place Room 2019
Boston, MA 02108
617 272 2200 x2076

PLAINTIFFS BY COUNSEL,



Alanna G. Cline (BBO 086860)
300 Market St.
Brighton, MA 02135
617 783 5997

SHARON SCHOOL COMMITTEE BY COUNSEL,



Tammy L. Richardson, BBO 567766
Deutsch, Williams, Brooks, DeRensis & Holland PC
99 Summer Street
Boston, MA 02110
617 951 2300